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SIPDIS

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SUBJECT: BULGARIAN COURT REGISTERS NEW CHIEF MUFTI, BUT
LEADERSHIP DISPUTE CONTINUES

REF: (A) 04 SOFIA 2338, (B) 03 SOFIA 2303

1. SUMMARY: The 18-month leadership dispute within Bulgaria's Muslim community is closer to being resolved with the recent official court registration of a new Chief Mufti (the spiritual head of the denomination) and Supreme Council. The new leadership is supported by the ethnic-Turkish political party Movement for Rights and Freedoms (MRF), which has used its influence throughout the power struggle to aid its supported faction. While the registration has already been appealed, judicial interference by the Chief Prosecutor and political inertia caused by the upcoming elections mean the dispute will probably linger on through the summer. END SUMMARY.

2. On May 11, a Sofia City Court judge issued five separate rulings in an attempt to resolve the 18-month-old leadership dispute within the Muslim denomination. The most important ruling was the decision to officially register Mustafa Alish Hadji, a modest, well-respected cleric, as the Chief Mufti. Hadji, an ethnic-Bulgarian Muslim, was previously Chief Mufti from 1997 to 2000. The rulings came as a surprise following previous appellate and supreme court rulings seemingly in favor of another former Muslim leader, Nedim Gendzhev (reftels).

3. On January 25, the Supreme Court of Cassation upheld an Appellate Court ruling annulling the creation of the interim triumvirate charged with managing the denomination's affairs pending the dispute's resolution (ref A). The court's ruling paved the way for Gendzhev and his faction to reclaim leadership of the denomination; however, his attempt to become officially registered was thwarted by the Chief Prosecutor. Before the Sofia City Court had a chance to act on Gendzhev's registration application, the Supreme Cassation Prosecution confiscated the case files related to the leadership dispute. The Prosecution claimed it was investigating technical irregularities in some of the rulings. The Prosecution is legally allowed to hold case files for up to three months; the case files were returned at the of this three-month period, May 11, to the Sofia City Court. However, 24 hours and five court rulings later, the Prosecution re-confiscated the case files for further investigation.

4. Gendzhev has appealed the new Chief Mufti's registration, but his appeal cannot be heard until the case files are released by the Chief Prosecutor. Additionally, Gendzhev is sure to meet continued stiff opposition from the MRF. Viewing itself as the sole representative of the ethnic-Turkish and Muslim minorities, the party has exerted its influence in most spheres of life affecting its constituency, including the leadership of the Muslim denomination. The MRF has long opposed Gendzhev, portraying him and his faction as the real danger to ethnic and religious peace in Bulgaria.

5. COMMENT: The registration of Mustafa Alish Hadji as Chief Mufti means that the day-to-day running of the Muslim denomination can finally get back on track. However, the leadership struggle seems likely to continue, with Nedim Gendzhev and the MRF pitted against each other in the battle to wield political influence and control the resources of the Muslim community. So far the MRF has come out on top, aided by the Chief Prosecutor's legal interference against Gendzhev. END COMMENT.